

## **Responses to Last Call:**

### **1. Economic Development:**

Circle: E-4, E-11, E-14, E-17, E-23

Other items I would circle for more choices are: E-9, E-18, E-22, E-24

Cross out: E-1, E-5, E-6, E-7, E-8,

Comments:

Numerous suggestions that I've listed in the "cross out" section worry me a great deal. There seems to be a strong trend to deregulate business (and reduce the power of local permitting boards) in the effort to craft law to suit developers. I do not think this is in the best interest of the town. While I agree that appropriate development in our village centers is beneficial, reducing the power of the ZBA, ConCom or the Planning Board to oversee and deny permits regarding inappropriate development is not in the Town's best interest. Item E-7 and especially E-8 seemed like very bad ideas that could put much of what we love about Amherst in jeopardy.

Amherst has a lovely small town feel about it, particularly the Main Street and Pleasant Street areas with their quaint shops and diverse restaurants. Amherst also has the natural beauty that so many who are wanting to escape the city come here to enjoy. These qualities mean money for Amherst businesses. As someone who recently opened a B&B in Amherst, I am very cognizant of how the look and feel of the town are appreciated by those who come here to vacation, to attend conferences, to drop off children going to college, etc. Visitors love the natural beauty of the area. Maintaining adequate power and control by Town Boards and Committees (rather than 'streamlining the permitting process' or deregulating) is critical to maintaining that beauty.

### **2. Housing:**

Circle: 7, 8, 19, 14, 16, 19, 22, 23, 27, 31, 32, 34

Cross out: 1, 2, 3, 4, 5, 6, 9, 11, 12, 13, 20, 21, 24, 26, 28, 29,

Of the cross-outs, the ones that are the worst ideas are: H-1, H-2, H-3, H-4, H-12

Also, why is it that most of the "bonus incentives" that are discussed would mean greater density? This seems aimed at allowing maximum profit for developers.

This section has so many strategies that I believe would be detrimental that I have to cross out more than 5. Also, I'm crossing out more than five because many of the strategies are somewhat duplicative. Numerous strategies seem to have a bias within the phrasing of the strategy (in particular, the number of questions weighted toward promoting higher density development.)

Though I like many of the suggestions about affordable housing and accessibility, I don't agree with the strategies of revamping the zoning bylaws in order to allow maximum density and minimum regulation by the town.

H-8 is good, but why qualify it to say "when cost feasible"? If this strategy is to have teeth, it must be mandated, rather than optional depending on cost feasibility.

H-11 perpetuates the divisive view that there are "competing land use interests" between open space and affordable housing. This strategy could have been phrased in a positive way (e.g., figure out ways that open space and affordable housing can be used in complementary ways, such as the Olympia Drive project which pairs affordable housing with the adjacent open space.)

H-13 is a good idea in part, but I couldn't support it as phrased. Since most developments would only have the bare minimum affordable units, if you waive, reduce or rebate fees, you're just giving more profit to the developer for doing what he or she was required to do by law. Better to have such waivers and fee rebates for projects that offer exclusively affordable housing with a significant portion of the housing being low income.

A glaring omission of this housing section is any strategy that will protect the town from hostile 40B developments when/if the town falls below the state's 10% low income requirement. H-14 deals with this issue peripherally, but there should be strategies that directly refer to LOW INCOME.

H-26 would be good if it didn't require a "density" bonus. The bylaws regarding density should remain consistent for everyone since they protect the character and beauty of Amherst. Energy efficient standards are a great idea, so a different type of bonus would be a good idea. E.g., You could offer a tax rebate on all costs (or a percentage of such costs) that went toward making the homes energy efficient. Same comment for strategy H-33.

### **3. Land Use:**

Circle: L-5, L-9, L-13, L-26, L-31, L-32, L-36, L-37, L-40

Cross Out: L-4, (VERY bad ideas!), L-6, L-10, L-11, L-12, L-27, L-28, L-30, L-41, L-43, L-45, L-49

There are some very good ideas in here (like focusing developments around village centers, adding sidewalks to make village centers more pedestrian friendly... this is especially needed at Pomeroy and Route 116). However my overall impression of this section (as with the housing section) is that there is a strong emphasis on deregulating to minimize town control over developments and amending of zoning law to allow greater density for developments in every way possible (not just in village centers). What is

disconcerting to me about this is that when I went to that half day brainstorming workshop with people throwing out dozens of ideas about land use, I didn't see any of this strong push to deregulate or provide greater density outside of village centers. I've talked to other people and they have the same impressions. It seems that somehow the pure public input has been transformed through the months to proposals that are heavily weighted toward development with lessened oversight by town committees.

In addition, I see much less emphasis on promoting open space and conservation, though at the group I was part of, about one third of the people were making comments along this line. (I recognize that there is a section dedicated to Open Space and Recreation, but the open space ideas should have been included in the Land Use section as well since they are certainly part of land use.) One thing that may have skewed the process is that when one person after another at that workshop I attended said they favored open space and conservation, the facilitator said that was already on the list so it wouldn't be repeated. However the greater density and deregulation themes in this final list are repeated many times. (Also, allowing people to cross out only 5 when there is a list of 60 with many of the same theme repeated seems to make the survey less useful. Maybe a more useful survey would be to rank each item in terms of importance on a scale of 1-5, though I recognize this would take longer and you were striving to make it a 'quick' survey.)

Also, there are some ideas about land use that were in the brainstorming session but never made it to your 'last call' list. For example, I had suggested that the PURD (planned unit residential development) zoning district be eliminated or have greater restrictions put on it. This idea was not listed on the last call list.

#### **Section 4: Natural and Cultural Resources:**

Circle: The following are really good: N-8, N-10, N-13, N-15, N-19, N-20, N-21, N-32, N-33, N-34

These are also good ideas: N-1, N-2, N-5, N-7, N-12, N-22, N-23, N-27, N-30, N-31

Cross out: N-16, N-17, N-25, N-29, N-36

I thought this section offered a lot of creative ideas that would enhance the town. Even the items I didn't circle were not bad. I hope a lot of these ideas can come to fruition.

One thing I would caution against is having too many compound ideas in one number, such as item N-29. While I favor construction of low energy houses, I am strongly against accelerated permitting.

On points N-16 and N-17, I was concerned with how the item was phrased. I had done a whole memo that I passed along to a representative on the CPC about how numerous towns in the U.S. and provinces in Canada have a mandated 1% for art REQUIREMENT

for new buildings that will be used by the public. (I think I also posted this idea at the brainstorming workshop early on.) But on the survey the idea about increasing space for art is discussed in part as an “incentive” program or is linked to things such as ‘density bonuses’. For this reason, I have crossed it out though I strongly favor a “1% for public art” requirement.

Another idea to add to the list is to create a **200** foot “no disturb” buffer for vernal pools, rather than the 100 foot “no disturb” buffer that is our current law. The model bylaws from the Massachusetts Association of Conservation Commissions has a 200 foot vernal pool buffer and the Town of Northampton is initiating a bylaw amendment that would increase their vernal pool buffer to 200 feet. (This makes sense considering some of the animals found in vernal pools, like spotted turtles, have a habitat that spans more than 1,000 feet.)

Also, the Town should do an inventory of all areas that could be protected as vernal pools, particularly flanking the Rail Trail since numerous of those depressions on either side of the old railroad are likely to qualify as vernal pools if someone took the time to photograph them and send in the appropriate documentation to the Natural Heritage and Endangered Species Program.

## **5. Open Space Section:**

Circle: O-4, O-7, O-11, (O-1 and O-2 are good ideas but are already part of the job of the ConCom staff anyway)

Cross out: O-13, O-15, O-16

I expected to want to circle many more in this section, but few of the ideas were very exciting to me. This section seems very underdeveloped. I can think of several open space conservation ideas that were not on the list that would be helpful:

1) Re-create a “stewardship” program to help with upkeep of the trail system. Some other towns have a Stewardship manual for volunteers who are assigned particular parts of trails for trash pick-up, notifying about maintenance problems, etc. I talked to someone who used to be assigned a couple trails for upkeep when Pete Westover was in charge of the ConCom. Harvey Allen who is on the ConCom could tell you more about it since he was one of the volunteers.

2) Make sure the Town’s Open Space plan is always kept up-to-date since this is required for the Town to be allowed to apply for self-help grants from the State. These self-help grants can contribute \$500,000 and up to 70% of the purchase price of land. (Amherst’s open space plan is now being updated, but it was not updated for several years which meant many lost opportunities at the \$500,000 self-help grants.)

- 3) Publicize the federal tax deduction program that offers a very high tax deduction for this year only when land-owners donate a conservation restriction on their land. (This could result in the creation of much more open space at virtually no cost to the Town.) I went to a workshop publicizing this in Franklin County. I've heard about campaigns to publicize this tax incentive in other towns, but Amherst has not had any public forums or done outreach on it.
- 4) Create an Open Space subcommittee of the ConCom to solicit input and investigate possible town acquisitions for open space. I've noticed online that some other towns already have such subcommittees. This could create a more comprehensive look at Open Space needs and possibilities.
- 5) Involve the public more in the process of picking projects for self-help grants to acquire open space. As part of a neighborhood group that proposed a project that could have been a self-help grant (and in talking to someone who was part of a different neighborhood group that proposed another self-help project), it seems that public ideas were initially only reluctantly listened to rather than encouraged. In reviewing articles online about other towns using Community Preservation Act Funds, I saw that some towns were actively soliciting and encouraging ideas from the public.
- 6) Have a competition or solicit project ideas from the public for Urban Self-Help funds (which our town has not applied for in recent years) which could be used for park creation or the like. The Village Center at Pomeroy and 116 could desperately use a small park, sidewalks, more tree-lined streets, landscaping, etc. The park next to the Common could use a face-lift as well. Those empty dirt wells surrounding the large trees make the area look uncared for; whereas more landscaping, flowers, etc., could make that area a gem.
- 7) The Town should do a thorough inventory (ie, including deed searches) of all conservation easements or easements leading to Town owned conservation land. A schedule of when deeded easements need to be renewed should be established and someone should be assigned to make sure that happens. There was a critical easement in the form of an old road (-- the only road access to 89+ acres of town owned conservation land) in our neighborhood that was on record for 30 years, then lapsed because no one from the Town took the responsibility to learn that it existed in a deed and to renew it. It lapsed just a couple years ago because of this ignorance.
- 8) The network of trails in Amherst should be included as part of the Town's resources for recreation. I went to one public hearing where a map was presented with very limited areas colored to depict "recreation areas". However this map left off all the trails as if they were not a form of recreation.

## **6. Services & Facilities:**

Circle: Really good ideas: S-29, S-31

Also good ideas: S-3, S-5, S-12, S-13, S-17, S-18, S-21, S-24  
S-28, S-30, S-35, S-37, S-38

Cross Out: S-1, S-2, S-6, S-7, S-26

I thought this section was good overall. Numerous new and original ideas. Lots of thoughtful input.

On idea S-31, I would specifically suggest the use of “dual flush” toilets. These toilets use a 1.8 gallon flush or a .8 or .9 gallon flush depending on the need. In Australia, all toilets are required to be dual flush. These types of toilets are also seen around Europe. We just got one for our home. They cost a little more, but you recoup the money spent within a couple years because of how much water is saved.

On S-21, it should include the CREATION of new sidewalks! (I live in South Amherst and there is a real need for sidewalks (e.g., on Middle Street, South East Street, Shays, etc.). The street lighting is poor in this area at night and it’s easy to miss seeing people walking in dark clothes on the nonexistent shoulder of the road. This really is a safety hazard, not to mention more sidewalks would help conserve energy by reducing the need for cars. (Note: I see the creation of sidewalks is mentioned in the transportation section, but I would also include it here.)

## **7. Transportation & Circulation:**

Circle: T-1, T-2, T-3, T-4, T-5, T-6, T-7, T-8, T-10, T-11, T-12, T-15, T-24

Cross out: T-7, T-17, T-19, T-20, T-23, T-27

I really liked many of the ideas about enhancing bike and pedestrian use. Great work on that. I visited Amsterdam recently and saw a great contrast between provisions for bikes here versus there. Maybe if we become much more bike-friendly, we would start to see an increase in bike use.

I really liked some of the ideas to encourage carpooling too. Saves money, saves energy, saves parking spaces downtown, ... good ideas!

## **OVERALL IMPRESSIONS**

You all (CPC, town staff, the consultants, the public, etc.) have done a phenomenal amount of work on this project. I would love to see some good plan evolve for the Town. There are so many good ideas here. But I’m very worried about the economic development, housing and land use sections. I’ve written specific comments that explain my concerns. The upshot though is that the suggestions on this list seem to be heavily

tainted by special interests that are pro-development and against regulation and oversight of development by Town Committees. The concept of development primarily in village centers seems to be just one suggestion rather than the overall upshot of the plan which is what I expected. These sections will likely generate much controversy and set the stage for a divisive Town Meeting if they presented at this Fall's Town Meeting. There should be many public hearings and adequate time for each of the relevant town committees to offer feedback on particular sections and this should all be done BEFORE this plan is presented to Town Meeting. A proposed zoning bylaw change has public hearings before the zoning subcommittee, the ConCom (when appropriate), the Planning Board and the Select Board. Certainly the Master Plan should have at least as many opportunities for public input as to the final wording as a zoning bylaw change. It is not enough to say that the public has had a million chances to offer input prior to the final wording. Rather there needs to be public vetting and hearings once the language is actually proposed.

It would be nice for this plan to have maximum support and to be used for decades to come. Considering the hoped for longevity, I don't see any need to rush the process and bring it to Town Meeting this fall. You could end up with a Master Plan that passes but zoning changes to implement it that repeatedly fail to get the 2/3 vote in Town Meeting. This would be unfortunate and could undermine the power of the Plan long-term. Let's take our time. Even if the money for the consultants has run out, this doesn't have to mean a rush to judgment. We know how to do the public hearing process because of our experience with zoning bylaw changes. Let's do the same here.

Also, when you bring the plan to Town Meeting, it should be in separate parts. Some parts may go through handily. Other parts may not be recommended in the current form. Better to allow agreement where it can happen. Also, it is helpful for Town Meeting members to be able to give proper meaning to their votes (ie, being more explicit about what they recommend or don't recommend.)

Lastly, regarding the timing of the "Last Call" survey, I think there were probably fewer surveys returned (and a number returned late like mine) because it's in the middle of summer vacations and then people are gearing up for the academic year. For professors like me, this is one of the busiest times of the year as we prepare for classes starting. Also, timing the survey for the summer when students are away, seems to convey the message that their input and needs are not a priority for the master plan. Another effort should be made to solicit input from students during the school year. I heard many surveys came back "address unknown" from the students. To prosper and to build bridges between the Town/Gown communities, Amherst needs to solicit more input from students at a time when they are around to give it.